



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF P-E-O-, LLC

DATE: JULY 31, 2019

APPEAL OF TEXAS SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a developer of oil and natural gas, seeks to employ the Beneficiary as a software developer. It requests his classification under the second-preference immigrant category as a member of the professions holding an advanced degree. *See* Immigration and Nationality Act (the Act) section 203(b)(2)(A), 8 U.S.C. § 1153(b)(2)(A). This employment-based, “EB-2” category allows a U.S. business to sponsor a foreign national for lawful permanent resident status to work in a job requiring at least a master’s degree, or a bachelor’s and five years of experience.

The Director of the Texas Service Center denied the petition. The Director concluded that the Petitioner did not demonstrate the Beneficiary’s possession of a master’s degree in a field of study acceptable for the offered position.

On appeal, the Petitioner submits probative evidence demonstrating that the Beneficiary’s foreign degree equates to a U.S. master’s degree in a field listed on the accompanying certification from the U.S. Department of Labor. The record therefore establishes the Beneficiary’s educational qualifications for the offered position.

**ORDER:** The appeal is sustained.

Cite as *Matter of P-E-O-, LLC*, ID# 5125396 (AAO July 31, 2019)